

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:18-cr-28-DCB-LRA

SHAWNVEON HOLIDAY

DEFENDANT

ORDER

This cause is before the Court on Defendant Shawnveon Holiday's Motion for Copies [ECF No. 58]. Holiday requests copies of his docket sheet and a copy of the judgment and commitment order so that he can "decide if [he] needs to with to proceed with [his] case." [ECF No. 58].

On April 11, 2019 Defendant pled guilty to Count One, conspiracy to defraud the United States. At the Defendant's sentencing hearing on August 13, 2019, this Court sentenced Defendants to 33 months confinement with the Bureau of Prisons to run concurrently to the undischarged term of imprisonment in Criminal Nos. 18-2477 and 18-2478; three years supervised release; restitution in the amount of \$40,830.56 to be paid jointly and severally with co-defendant Kelandrix Lushaw; and a \$100 special assessment. This Court entered the Judgement on August 26, 2019.

Defendant has made two previous requests in this Court for Copies on December 2, 2019. [ECF No. 52]. In an Order on March 2, 2020, this Court denied Defendant Holiday's requested documents.

[ECF No. 55]. Defendant requested Copies again on March 31, 2020. [ECF No. 56]. In an Order on June 11, 2020, this Court denied Defendant's second request for documents. [ECF No. 57].

Title 28 U.S.C. § 2250 states that a movant for a writ of habeas corpus is entitled to copies of court records without cost where he has been granted leave to proceed in forma pauperis and his federal habeas motion is pending before the court. See Walton v. Davis, 730 Fed.Appx. 233, 234 (5th Cir. 2018). "The records will not be provided where a movant contends that he needs them to formulate a claim or to review for facts that may support a potential habeas petition." Id. (citing United States v. Carvajal, 989 F.2d 170, 170 (5th Cir. 1993) (28 U.S.C. § 2255 case)). Because Holiday has no habeas corpus petition pending before this Court, his request is foreclosed by § 2250 and shall be denied.

Accordingly,

IT IS HEREBY ORDERED and ADJUDGED that the defendant Shawnveon Holiday's motion for Copies [ECF No. 58] is DENIED.

SO ORDERED, this the 2nd day of November, 2020.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE